

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM H. THEIL,)
Plaintiff,) 2:05-cv-1516
v.) Judge McVerry
WEST MIFFLIN BOROUGH) Magistrate Judge Caiazza
Defendant.)

MEMORANDUM ORDER

AND NOW, on November 2, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On March 6, 2007, Magistrate Judge Caiazza issued a Report and Recommendation (Doc. No. 23) that the Defendant's Motion for Summary Judgment (Doc. No. 14) be granted without prejudice regarding the Plaintiff's claim for punitive damages, but in all other respects denied.

Service of the Report and Recommendation was made on the parties, and the Defendant filed objections on March 22, 2007. *See* Doc. No. 24.

After a *de novo* review of the pleadings and documents filed in this case, together with the Report and Recommendation and the objections thereto which the Court finds to be without sufficient merit to overturn the recommendation,

NOW THEREFORE, this 9th day of April, 2007, it is hereby **ORDERED** that the Defendant's Motion for Summary Judgment (Doc. No. 14) is **GRANTED** regarding the Plaintiff's claim for punitive damages, but otherwise **DENIED**.

The Report and Recommendation of Magistrate Judge Caiazza dated March 6, 2007 is hereby adopted as the opinion of the District Court.

BY THE COURT:

s/ Terrence F. McVerry

United States District Court Judge

cc: Joseph J. Chester, Esquire
Email: joechester@aol.com

J. Michael Klutch, Esquire
Email: mklutch@mdbbe.com
Marie Milie Jones, Esquire
Email: mjones@mdbbe.com

Magistrate Judge Caiazza